

CCRB INVESTIGATIVE RECOMMENDATION

| | | | | | |
|--|---|---------------------------|---|---|--|
| Investigator: Daniel Casados | Team: Team # 5 | CCRB Case #: 201013065 | <input checked="" type="checkbox"/> Force | <input checked="" type="checkbox"/> Discourt. | <input type="checkbox"/> U.S. |
| | | | <input type="checkbox"/> Abuse | <input type="checkbox"/> O.L. | <input checked="" type="checkbox"/> Injury |
| Incident Date(s) Thursday, 09/16/2010 5:45 PM | Location of Incident: 4-21 Astoria Boulevard | Precinct: 114 | 18 Mo. SOL 3/16/2012 | EO SOL 3/16/2012 | |
| Date/Time CV Reported Fri, 09/24/2010 1:13 PM | CV Reported At: CCRB | How CV Reported: Phone | Date/Time Received at CCRB Fri, 09/24/2010 1:13 PM | | |

| Complainant/Victim | Type | Home Address |
|--------------------|------|--------------|
| | | |

| Witness(es) | Home Address |
|-------------|--------------|
| | |

| Subject Officer(s) | Shield | TaxID | Command |
|-------------------------|--------|--------|---------|
| 1. DT3 Bryan Zuccaro | 02449 | 931484 | NARCBQN |
| 2. SGT Michael Grizzard | 02992 | 921399 | NARCBQN |

| Officer(s) | Allegation | Investigator Recommendation |
|------------------------|--|-----------------------------|
| A.SGT Michael Grizzard | Discourtesy: Sergeant Michael Grizzard spoke obscenely and/or rudely to § 87(2)(b) | |
| B.SGT Michael Grizzard | Force: Sergeant Michael Grizzard used physical force against § 87(2)(b) | |
| C.DT3 Bryan Zuccaro | Force: Detective Bryan Zuccaro used physical force against § 87(2)(b) | |

Case Summary

On September 24, 2010, § 87(2)(b) filed this complaint with the CCRB over the telephone (encl. 4).

On September 16, 2010, at approximately 5:45 p.m., § 87(2)(b) and an individual only known as § 87(2)(b) interacted with Detective Bryan Zuccaro and Sergeant Michael Grizzard at 4-21 Astoria Boulevard in Queens because Detective Bryan Zuccaro had witnessed § 87(2)(b) purchase marijuana. The following allegations resulted:

- **Allegation A – Discourtesy:** Sergeant Michael Grizzard spoke obscenely and/or rudely to § 87(2)(b) § 87(2)(g)
§ 87(2)(b)
§ 87(2)(b)
- **Allegation B – Force:** Sergeant Michael Grizzard used physical force against § 87(2)(b) § 87(2)(g)
§ 87(2)(b)
§ 87(2)(b)
- **Allegation C – Force:** Detective Bryan Zuccaro used physical force against § 87(2)(b) § 87(2)(g)
§ 87(2)(b)
§ 87(2)(b)

Results of Investigation

Civilian Statement

Complainant: § 87(2)(b)

- § 87(2)(b) -old black male, 150 pounds with black hair and brown eyes. § 87(2)(b)
§ 87(2)(b)

Medical Records Statement

On § 87(2)(b), the police took § 87(2)(b) to § 87(2)(b). He reported that he was “elbowed” in his mouth by police officers (encl. 3).

CCRB Testimony

§ 87(2)(b) provided a telephone statement about the incident on September 28, 2010 (encl. 5). He provided a sworn statement at the CCRB on October 13, 2010 (encl. 6). § 87(2)(g)
§ 87(2)(b) On September 16, 2010, at approximately 5:45 p.m., § 87(2)(b) and his friend whom he only knows as § 87(2)(b) were walking from a corner store on 8th Street and Astoria Boulevard and were headed to another corner store. They were then stopped at 4-21 Astoria Boulevard by two plainclothes officers driving in an unmarked, champagne colored Hyundai Sonata. The driver of the vehicle—determined based on officers’ testimonies and § 87(2)(b)’s testimonial description of this officer as being a white male with short blond hair—was Detective Bryan Zuccaro. Detective Zuccaro asked § 87(2)(b) and § 87(2)(b) if they had any guns or drugs. They said no. The officer who stepped out of the passenger seat—determined based on officers’ testimonies and § 87(2)(b)’s description of him as being a white male with black hair and a muscular build—was Sergeant Michael Grizzard. Detective Zuccaro approached § 87(2)(b) and Sergeant Grizzard approached § 87(2)(b). Sergeant Grizzard frisked § 87(2)(b). § 87(2)(b) noticed that Detective Zuccaro frisked § 87(2)(b) as well, but he observed no further

interaction between § 87(2)(b) and Detective Zuccaro. For example, he did not know if § 87(2)(b) was searched or if he and the officer had a discussion.

Sergeant Grizzard placed his hands inside of § 87(2)(b)'s front jacket pockets and then his front pants pockets. Sergeant Grizzard then instructed § 87(2)(b) to lift up his shirt, and he did. Sergeant Grizzard felt along § 87(2)(b)'s stomach and waistline and then placed his hand a few inches inside § 87(2)(b)'s pants. § 87(2)(b) told Sergeant Grizzard not to do that and removed Sergeant Grizzard's hand from his pants and stepped back. Sergeant Grizzard told § 87(2)(b) not to tell him "what the fuck to do" and that he was "just doing [his] job." Detective Zuccaro grabbed § 87(2)(b) by his left tricep, and § 87(2)(b) again tried to step back. As he was doing so, Sergeant Grizzard punched § 87(2)(b) in his mouth, hitting his upper lip. § 87(2)(b) and both officers fell to the ground. § 87(2)(b) presumed that Sergeant Grizzard fell due to his momentum, that he fell from the punch and that Detective Zuccaro fell because he was holding and pulling on him. One of the officers quickly handcuffed § 87(2)(b) on the ground and then stood him to his feet. § 87(2)(b) stated that aside from pulling Sergeant Grizzard's hand from his pants, he never resisted.

§ 87(2)(b)'s lip was bleeding. The officers walked § 87(2)(b) to their vehicle and left § 87(2)(b) there. As the officers were walking § 87(2)(b) to their vehicle, a few people from the neighboring buildings, a NYCHA complex, began to walk closer and watch. § 87(2)(b) knew no witnesses aside from § 87(2)(b).

The officers then drove § 87(2)(b) to a more secluded area. They stopped on 26th Avenue, between 3rd Street and 4th Street (3-10 26th Avenue), and they parked in a parking lot in between two abandoned-looking buildings. The officers took § 87(2)(b) out of the car and placed him against it. Detective Zuccaro then placed his hands inside of § 87(2)(b)'s pants around his waistline. Detective Zuccaro did not search him further. § 87(2)(b) stated that drugs were not recovered from his person. § 87(2)(b) told the officers that he needed to go to the hospital for his lip. Sergeant Grizzard also said that he needed to go to the hospital because his elbow hurt. Detective Zuccaro told Sergeant Grizzard that he had found marijuana. § 87(2)(b) did not know why Detective Zuccaro said this because he said he and § 87(2)(b) did not have marijuana. Two more police officers then arrived in a silver transport van. Based on the Queens Narcotics tactical plan and § 87(2)(b)'s description of them as black males, the investigation determined these officers were PO Nathaniel Jeffers and Detective Darrell Julien. There were no prisoners inside the van. § 87(2)(b) was placed inside the van and driven to Mt. Sinai Hospital. His lip was cleaned at the hospital, and PO Jeffers and Detective Julien then drove him to the 114th Precinct stationhouse.

Attempts to Contact Civilians

The investigation was unable to locate "§ 87(2)(b) § 87(2)(b) provided what he thought was § 87(2)(b) telephone number and address when he filed his complaint, but the telephone number was non-functioning and the address he provided was non-existent. Despite several database queries, the investigation was unable to locate his address and telephone number. Further, Detective Zuccaro created a UF 250 report for § 87(2)(b) but stated that due to his limited engagement with him, he never learned his first and last name and contact information.

NYPD Statements:

Subject Officer: DETECTIVE BRYAN ZUCCARO

- *Detective Zuccaro is a § 87(2)(b)-old white male, 5'7" tall, 180 pounds, with hazel eyes. He is nearly bald but has a semblance of blond and brown hair.*
- *On the date of the incident, Detective Zuccaro was assigned as the arresting officer for*

Narcotics Borough Queens. He was dressed in plainclothes, and his tour was from 1:27 p.m. to 10:00 p.m. His assigned partner was Sergeant Michael Grizzard. Detective Zuccaro was assigned to a Champagne-colored Hyundai Sonata. He was the vehicle operator.

Memo Book

Detective Zuccaro made the following entries in his memo book relating to the incident: At 5:55 p.m., one person was placed under arrest in front of 4-21 Astoria Boulevard. Detective Zuccaro prepared a UF 250 for a person who “refused” to provide his information. At 6:30 p.m., Detective Zuccaro took Detective Zuccaro to § 87(2)(b) (encl. 7).

UF 250 Report

On September 16, 2010, Detective Zuccaro stopped a person who “refused” to provide his name. Detective Zuccaro confirmed at his CCRB interview that the report pertains to the individual who was with § 87(2)(b) at the time of incident § 87(2)(g). The location and the time of the stop are the same as § 87(2)(b)s. The circumstances of § 87(2)(b) stop and frisk state that his actions were indicative of acting as a lookout in a narcotics/possible weapons possession crime (encl. 8).

Pre-Arraignment Report

Detective Zuccaro completed § 87(2)(b)s pre-arraignment report pertaining to the incident. Detective Zuccaro wrote only § 87(2)(b)s top charge and time of arrest on it. § 87(2)(b)s purported injury is not noted on it (encl. 9).

UF 61

Detective Zuccaro entered complaint report number § 87(2)(b) pertaining to § 87(2)(b)s arrest. § 87(2)(b) was arrested at 4-21 Astoria Boulevard at 5:55 p.m. The narrative states, “§ 87(2)(a) 160.50

§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b) ” (encl. 10).

Criminal Court Complaint

§ 87(2)(a) 160.50
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)

CCRB Testimony

Detective Zuccaro provided a sworn statement at the CCRB on February 22, 2011 (encl. 12). On the date of the incident, Detective Zuccaro was working in a VIPER room watching a closed-circuit video in color of 4-21 Astoria Boulevard in Queens, which is a NYCHA complex. The residence was under surveillance § 87(2)(e)
§ 87(2)(b) On the video, Detective Zuccaro observed § 87(2)(b) purchase what he presumed was marijuana at 4-21 Astoria Boulevard. The marijuana was in a sandwich-style plastic bag. § 87(2)(b) placed the bag inside his front pants waistband. § 87(2)(b)

then headed to a corner store on 8th Avenue and Astoria Boulevard. On his way there he met up with an anonymous male, § 87(2)(b). Detective Zuccaro had not observed § 87(2)(b) purchase marijuana, thus Detective Zuccaro had no intent to arrest him, but he did intend to arrest § 87(2)(b) and § 87(2)(b) walked back to the Astoria Houses. Detective Zuccaro did not know if Sergeant Grizzard had seen the surveillance video of § 87(2)(b) though he had been in the VIPER room with him. Detective Zuccaro radioed for prisoner van officers to apprehend § 87(2)(b) but they did not respond and were presumably out of radio range. Detective Zuccaro and Sergeant Grizzard thus had to leave the VIPER room to apprehend § 87(2)(b). They drove to where § 87(2)(b) was, and when they saw § 87(2)(b) and § 87(2)(b) they approached them. Detective Zuccaro then recognized § 87(2)(b) because he had arrested him on a previous unknown date for crack-cocaine possession.

Sergeant Grizzard walked up to § 87(2)(b) and Detective Zuccaro walked up to § 87(2)(b). Detective Zuccaro paid attention to § 87(2)(b) and did not hear the initial conversation between § 87(2)(b) and Sergeant Grizzard. Detective Zuccaro did not know if Sergeant Grizzard questioned § 87(2)(b) about the marijuana. Detective Zuccaro never heard Sergeant Grizzard say, “Don’t tell me what the fuck to do.” Detective Zuccaro said that if he were in charge he would have arrested § 87(2)(b) outright and let § 87(2)(b) go, who up to that point had been free to leave. However, Sergeant Grizzard never communicated to Detective Zuccaro that § 87(2)(b) was free to leave. § 87(2)(b) quietly and secretly asked Detective Zuccaro to come closer to him. Detective Zuccaro grabbed § 87(2)(b) arms, and § 87(2)(b) whispered to him that § 87(2)(b) still had the marijuana on his person. Detective Zuccaro then frisked § 87(2)(b) he frisked § 87(2)(b) to beguile § 87(2)(b) not wanting him to know what § 87(2)(b) had told him. Sergeant Grizzard then moved behind § 87(2)(b) and started to frisk him. Detective Zuccaro patted the front of § 87(2)(b) s waistband and felt the marijuana. Detective Zuccaro did not seize it. He wanted to arrest § 87(2)(b) without altercation so he avoided letting him know he had discovered it.

Detective Zuccaro started to pull § 87(2)(b) s arms behind his back, but § 87(2)(b) ran forward. He ran into Sergeant Grizzard. Detective Zuccaro grabbed the back of § 87(2)(b) s coat and § 87(2)(b). Detective Zuccaro and Sergeant Grizzard fell to the ground. Sergeant Grizzard fell backward and landed on his forearm, injuring it. Detective Zuccaro landed on top of the pile. § 87(2)(b) tried to stand up but Detective Zuccaro pressed him down with his arms. § 87(2)(b) then held his arms beneath his body. Detective Zuccaro squeezed § 87(2)(b) s wrist, a pressure point, and was then able to pull his arms behind his back and handcuff him. Detective Zuccaro did not observe any injuries on § 87(2)(b) particularly on his lip. Detective Zuccaro did not know if Sergeant Grizzard had punched § 87(2)(b) during the incident. Detective Zuccaro briskly walked § 87(2)(b) to their vehicle because a few residents from 4-21 Astoria Boulevard were starting to walk toward the incident, and at least one of them was yelling incomprehensibly. The officers left § 87(2)(b) there because they had not seen him purchase marijuana. Further, Detective Zuccaro said his primary concern was taking away § 87(2)(b) before anyone else got involved.

Detective Zuccaro drove § 87(2)(b) to 3-10 26th Avenue, which is about three blocks away and is a fairly secluded area. He took him there to seize the marijuana without interference. Detective Zuccaro did not take § 87(2)(b) to a stationhouse first because he is fearful, in general, of arrestees destroying or swallowing narcotics. The officers took § 87(2)(b) out of the police car, and Detective Zuccaro reached into the front of § 87(2)(b) s waistband and removed the bag of marijuana, which was by the top of his waistband and in between his pants and his underwear. Detective Zuccaro reached only into the top of § 87(2)(b) s pants and did not touch or expose his skin. Detective Zuccaro put the marijuana in a sealed envelope. Detective Darrell Julien and PO Nathaniel Jeffers then arrived in a transport van. § 87(2)(b) was placed in the van and driven away. Detective Zuccaro later learned that § 87(2)(b) was taken to § 87(2)(b) for an unknown reason. Detective Zuccaro drove Sergeant Grizzard to § 87(2)(b) for his

forearm injury.

Subject Officer: SERGEANT MICHAEL GRIZZARD

- *Sergeant Grizzard is a § 87(2)(b)-old white male, 5'11" tall, 225 pounds, with dark brown hair and brown eyes.*
- *On the date of the incident, Sergeant Grizzard was assigned as the team leader of Narcotics Borough Queens. Sergeant Grizzard worked from 1:25 p.m. to 10:00 p.m. He was dressed in plainclothes, assigned to an unmarked vehicle, a tan-colored Hyundai, and he partnered with Detective Zuccaro, who was the vehicle operator.*

Memo Book

Sergeant Grizzard made the following memo book entries relating to the incident: At 5:55 p.m., he had one person under arrest at the Astoria houses, in front of 4-21 Astoria Boulevard in Queens (encl. 13).

Line of Duty Notification

In regard to § 87(2)(b)'s arrest, Sergeant Grizzard reported, "While attempting to arrest perpetrator § 87(2)(b) perpetrator did resist arrest, fighting and refusing to be handcuffed. [Sgt. Grizzard] suffered abrasions to both forearms and a fracture to right forearm" (encl. 14).

CCRB Testimony

Sergeant Grizzard provided a sworn statement at the CCRB on March 16, 2011 (encl. 15). On the date of the incident, Sergeant Grizzard was watching a separate camera than Detective Grizzard and did not see § 87(2)(b) purchase marijuana, but Detective Zuccaro immediately reported it to him. Sergeant Grizzard determined that § 87(2)(b) was to be placed under arrest. Sergeant Grizzard did not learn that § 87(2)(b) was with § 87(2)(b) until they had driven to where § 87(2)(b) was. Thus, upon sight of § 87(2)(b) he did not plan to arrest him. Sergeant Grizzard walked up to § 87(2)(b). He told § 87(2)(b) that he was a police officer and then frisked him for safety purposes since § 87(2)(b) was technically under arrest. Sergeant Grizzard did not search § 87(2)(b) and he did not tell him, "Don't tell me what the fuck to do." Sergeant Grizzard did not feel the marijuana on § 87(2)(b)'s person. Detective Zuccaro then walked behind § 87(2)(b) to place him in handcuffs. § 87(2)(b) used his elbow to push Detective Zuccaro backward. § 87(2)(b) then rushed toward Sergeant Grizzard in a fighting stance with his hands in fists. Sergeant Grizzard punched § 87(2)(b) with his right hand in § 87(2)(b)'s mouth. § 87(2)(b)'s lips later bled lightly. Sergeant Grizzard said he punched § 87(2)(b) because § 87(2)(b) first used force against Detective Zuccaro and then motioned and ran at him with the intent of striking him.

After Sergeant Grizzard punched § 87(2)(b) both officers grabbed § 87(2)(b)'s arms, which he was not volunteering. The officers pulled down on his arms, put their body weight on him and basically pushed him to the ground. § 87(2)(b) resisted going to the ground and as a result they all fell to the ground in the struggle. Sergeant Grizzard fell backward and landed on his forearms, injuring them. He later found out that his right forearm had a hair-line fracture and his left forearm developed about an 8-inch scar. § 87(2)(b) did not provide his arms on the ground but the officers were able to overpower him and pull them behind his back and handcuff him. At some point, people started to come out of the Astoria Houses and yell at the officers. Sergeant Grizzard and Detective Zuccaro took § 87(2)(b) to their vehicle and left § 87(2)(b) there. They drove § 87(2)(b) to 3-10 26th Avenue. Sergeant Grizzard said that it was acceptable procedure to take § 87(2)(b) to the second location because it was too chaotic to search § 87(2)(b) at the first location and because

§ 87(2)(b) could have tried to dispose of the drugs before reaching a stationhouse. En route to the second location, Sergeant Grizzard radioed the prisoner transport van officers to meet them there. At 3-10 26th Avenue, Detective Zuccaro placed one of his hands inside the waistband area of § 87(2)(b)'s pants, but not inside his underwear, and removed the marijuana. Detective Zuccaro only had to place his hand inside § 87(2)(b)'s pants a few inches to remove the marijuana. The transport van officers then arrived and Sergeant Grizzard told them to take § 87(2)(b) to the hospital for his lip. Detective Zuccaro took Sergeant Grizzard to the hospital for his forearms.

Medical Records

§ 87(2)(b) went to § 87(2)(b) immediately following his interaction with the officers on § 87(2)(b). A physician in the emergency room treated him for an intraoral laceration to his right upper, inner lip. The laceration was 0.5 centimeters in length. He was discharged in police custody, prescribed Amoxicillin-Clavulanate and instructed to follow up with his primary physician (encl. 16).

NYPD Documents

Medical Treatment of Prisoner Report

According to the MTPR, § 87(2)(b) had a headache and a laceration inside of his right, upper lip. He refused repair of the laceration, and he was given wound-care instructions and Tylenol (encl. 17).

Property Voucher

PO Darrell Jeffers completed the property voucher pertaining to § 87(2)(b)'s arrest. PO Jeffers vouchered one plastic bag containing marijuana (encl. 18).

On-line Booking Sheet

According to the OLBS, completed by PO Jeffers, § 87(2)(b) was arrested on September 16, 2010, at 5:55 p.m., at 4-21 Astoria Boulevard in Queens, generating the arrest number

§ 87(2)(b). The narrative states, "§ 87(2)(a) 160.50

§ 87(2)(b) (encl. 19).

114th Precinct Command Log

According to the command log, § 87(2)(b) was logged in at 8:00 p.m. Detective Zuccaro was his arresting officer. § 87(2)(b)'s physical/mental condition was noted as, "Injury to mouth—treated at § 87(2)(b)" (encl. 20).

Narcotics Borough Queens Tactical Plan

According to the tactical plan for September 16, 2010, Sergeant Grizzard and Detective Zuccaro were partnered together in the lead auto vehicle. Detective Julien and PO Jeffers were partnered together in the prisoner transport van. No other officers or detectives are listed on the tactical plan (encl. 21).

Other Evidence

Arrest for Incident and Disposition

- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

[§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Status of Civil Proceedings

- [§ 87(2)(b)] has not filed a Notice of Claim with the City of New York as of April 15, 2011, with regard to the incident (encl. 24).

Civilian Criminal History

- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Civilian CCRB History

- [§ 87(2)(b)] filed the following additional CCRB complaint, [§ 87(2)(b)]

Subject Officers CCRB Histories

- Sergeant Michael Grizzard has been a member of the service for 12 years and there are no substantiated CCRB allegations against him (encl. 1A).
- Detective Bryan Zuccaro has been a member of the service for eight years and there is one CCRB case in which three allegations were substantiated against him:
 - In CCRB 200709264, Detective Zuccaro was substantiated regarding a vehicle search allegation, a frisk allegation and a search of person allegation. He pleaded guilty to the allegations and was given instructions as command discipline (encl. 1B).

Conclusion

Identification of Subject Officers

[§ 87(2)(g)]

[§ 87(2)(b)] He reported that a muscular officer with dark-colored hair first approached him and that a slimmer officer with short blond hair approached the individual named [§ 87(2)(b)]. The investigation learned from the Criminal Court Complaint that [§ 87(2)(b)] was arrested by Detective Bryan Zuccaro and that Sergeant Grizzard was the other involved officer. Based on the officer's provided pedigree information, Sergeant Grizzard weighs 225 pounds, has a muscular build and dark-colored hair, and Detective Zuccaro weighs 180 pounds and has short blondish hair. During their respective CCRB interviews, Sergeant Grizzard confirmed that he first approached [§ 87(2)(b)] and Detective Zuccaro confirmed that he first approached [§ 87(2)(b)] [§ 87(2)(g)]. [§ 87(2)(b)] alleged that the muscular, dark-haired officer cursed at him and punched him in his mouth. [§ 87(2)(g)]

§ 87(2)(g) § 87(2)(b) did not know if Detective Zuccaro pulled him to the ground, but Detective Zuccaro stated that he did use minimal force to apprehend § 87(2)(b) § 87(2)(g)

Allegations Not Pleaded

§ 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

Regarding the individual named § 87(2)(b) the investigation was unable to locate him. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b) Detective Zuccaro said that § 87(2)(b) was free to leave, but § 87(2)(b) told Detective Zuccaro to come closer to him. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b) never directly alleged that he was stopped and frisked.

Investigative Findings and Recommendations

Allegation A – Discourtesy: Sergeant Michael Grizzard spoke obscenely and/or rudely to

§ 87(2)(b)

Sergeant Grizzard allegedly stated to § 87(2)(b) “Don’t tell me what the fuck to do.” Sergeant Grizzard denied saying the allegation. Detective Zuccaro did not hear the initial conversation between § 87(2)(b) and Sergeant Grizzard because he was interacting with the individual named § 87(2)(b) at the time. Both officers denied using profanity during the incident. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

Allegation B– Force: Sergeant Michael Grizzard used physical force against § 87(2)(b)

Allegation C– Force: Detective Bryan Zuccaro used physical force against § 87(2)(b)

§ 87(2)(b) alleged that Sergeant Grizzard punched him in his mouth and that Detective Zuccaro helped pull him to the ground. § 87(2)(g)

§ 87(2)(b) He reported that his only resistance was stepping away from Sergeant Grizzard when he tried to search him, and then Detective Zuccaro allegedly grabbed his arm and then

Sergeant Grizzard allegedly punched him in his mouth. The three of them, who were huddled together, fell to the ground. The officers, however, stated that when Detective Zuccaro tried to frisk § 87(2)(b) he pushed Detective Zuccaro away, possibly with his elbow, and then rushed at Sergeant Grizzard with his fists clenched. Detective Zuccaro then grabbed hold of § 87(2)(b) by his jacket and Sergeant Grizzard admitted that he punched § 87(2)(b) in his mouth. He said he punched him because § 87(2)(b) had used force against Detective Zuccaro and then rushed at him with imposing force. The three of them were bunched together at the time and all fell to the ground, with Sergeant Grizzard falling backward.

According to § 87(2)(b)'s medical records, he did sustain a small laceration to the inside of his upper lip, but also, Sergeant Grizzard had to complete line of duty paperwork because he sustained bruises to both his forearms, and the right one was fractured. § 87(2)(g)

§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b)
§ 87(2)(b) According to Patrol Guide Section 203-11, an officer may use the minimum amount of force necessary to overcome resistance to effect an arrest (encl. 0). § 87(2)(g)
§ 87(2)(g)
§ 87(2)(g)
§ 87(2)(g)

Team: _____

:

Investigator: _____
Signature Print Date

Supervisor: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date